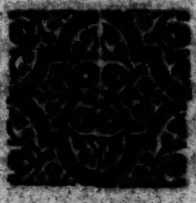
DEPOSITIONS AND ARTICLES AGAINST THOMAS EARLE OF STRAFFORD,

Febr. 16. 1640.



Printed Anno Dom. 1640.

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ARTICLES OF the Commons assembled in Parliament, against THOMAS Earle of *Strafford*, in maintenance of their accusation, whereby he stands charged of high Treason.

Nov: 25 1640

I.

THat he the said *Thomas*, Earle of Strafford, hath trayterously endeavoured to subvert the fundamentall Lawes and government of the Realmes of England and Ireland, and in stead thereof to introduce an arbitrary and tyrannicall Government, against Law, which he hath declared by trayterous words, counsells, and actions, and by giving his Majesty advice, by force of Armes to compell his loyall subjects to submit thereunto.

II.

That he hath trayterously assumed to himselfe Regall power over the lives, liberties, persons, lands, and goods of his Majesties subjects in England and Ireland, and hath exercised the same tyrannically, to the subver-

version and undoing of many both of Peers and others of his Majesties liege people.

III.

That the better to enrich and enable himselfe to goe through with his traiterous designes, hee hath detained a great part of his Majesties revenue, without giving legall account; and hath taken great summes out of the Exchequer, converting them to his owne use, when his Majesty was necessitated for his owne urgent occasions, and his Army had beene a long time unpaid.

IV.

That he hath traiterously abused the power and authority of his government, to the increasing, countenancing and encouraging of Papists, that so he might settle a mutuall dependance and confidence betwixt himselfe and that party, and by their helpe prosecute, and accomplish his malicious and tyrannical designes.

V.

That he hath maliciously endeavoured to stirre up enmity and hostility betweene his Majesties subjects of England, and those of Scotland.

VI.

That he hath traiterously broken the great trust reposed in him by his Majesty, of Lieutenant generall of his Army, by wilfully betraying divers of his Majesties subjects to death, his Army to a dishonourable defeat by the Scots at Newborne, and the Towne of Newcastle into their hands, to the end, that by the effusion of blood, by dishonour, and so great a losse of Newcastle, his Majesties Realme of England might be engaged in a Nationall and irreconciliable quarrell with the Scots.

VII.

That to preserve himselfe from being questioned for those and other his traiterous courses, he laboured

to ſubvert the right of Parliaments, and the ancient courſe of Parliamentary proceedings, and by falſe and malicious ſlanders to incenſe his Majeſty againſt Parliaments. By which words, counſels, and actions, he hath traiterouſly, and contrary to his Allegiance, laboured to alienate the hearts of the Kings liege people from his Majeſty, to ſet a diviſion betweene them, and to ruine and deſtroy his Majeſties Kingdomes, for which they impeach him of high Treaſon againſt our Soveraign Lord the King, his Crown and dignity.

VIII.

And he the ſaid Earle of Strafford was Lord Deputy of Ireland, and Lieutenant generall of the Army there, viz. his moſt excellent Majeſty for his Kingdomes, both of England and Ireland, and the Lord Preſident of the North, during the time that all and every the crimes and offences before ſet forth, were done and committed, and he the ſaid Earle was Lieutenant generall of all his Majeſties Army in the North parts of England, during the time that the crimes and offences in the fift and ſixt Articles ſet forth, were done and committed.

IX.

And the ſaid Commons by proteſtations, ſaving to themſelves the liberty of exhibiting at any time hereafter any other accuſation or impeachment againſt the ſaid Earle, and alſo of replying to the anſwers that he the ſaid Earle ſhall make unto the ſaid Articles, or to any of them, and of offering proofes alſo of the premiſſes, or any of them, or any other impeachment or accuſation that ſhall be exhibited by them, as the cauſe ſhall according to the courſe of Parliaments require, doe pray that the ſaid Earle may bee put to anſwer for all and every the premiſſes, that ſuch proceedings, examinations, tryals, and judgements may be upon every of them had and uſed, as is agreeable to Law & Juſtice.

The Further Impeachment of *Thomas* Earle of Strafford, by the Commons assembled in Parliament, 1640.

WHereas the said Commons have already exhibited Articles against the said Earle, formerly expressed &c. Now the said Commons doe further impeach the said Earle, as followeth, &c.

I.

That he the said Earle of Strafford the 21. of March, in the eighth yeare of his now Majesties reigne, was president of the Kings Councell in the Northerne parts of England.

That the said Earle being President of the said Councell on the 21 day of March, a Commission under the great Seale of England, with certaine Schedules of instructions thereto annexed, was directed to the said Earle, & others the Commissioners therein named, whereby, amongst other things, power and authority is limited to the said Earle, and others the Commissioners therein named, to heare and determine all offences and misdemeanours, suits, debates, con-

controverſies, and demands, cauſes, things, and matters, whatſoever therein contained, and within certaine precincts in the ſaid Northerne parts therein ſpecified, and in ſuch manner as by the ſaid Schedule is limited and appointed.

That amongſt other things in the ſaid Inſtructions, it is directed that the ſaid Preſident and others therein appointed, ſhall heare and determine according to the courſe of proceedings in the Court of Starchamber, divers offences, deceits and falſities therein mentioned, whether the ſame be provided for by the Acts of Parliament, or not, ſo that the Fines impoſed be not leſſe then by Act or Acts of Parliament provided for ſuch thoſe offences is appointed.

That alſo amongſt other things in the ſaid Inſtructions, it is directed that the ſaid Preſident, and others therein appointed, have power to examine, heare and determine, according to the courſe of proceedings in the Court of Chancery, all manner of complaints for any matter within the ſaid precincts, as well concerning lands, tenements, and hereditaments, either freehold, Cuſtomary, or Copy-hold, as Leaſes, and other things therein mentioned, and to ſtay proceedings in the Court of Common Law by Injunction, or otherwiſe, by all wayes and meanes as is uſed in the Court of Chancery.

And although the former Preſidents of the ſaid Counſell had never put in practice ſuch Inſtructions, nor had they any ſuch Inſtructions, yet the ſaid Earle in the month of May, in the ſaid 8. yeare, and divers yeares following, did put in practice, exerciſe, and uſe, and cauſed to be uſed and put in practice the ſaid Commiſſion and Inſtructions, and did direct and exerciſe

an exorbitant and unlawfull power and jurisdiction on the persons and estates of his Majesties subjects in those parts, and did dis-inherit divers of his Majesties subjects in those parts of their inheritances, sequestred their possessions, and did fine, ranlome, punish and imprison them, and caused them to be fined, ranlomed, punished and imprisoned, to their ruine and destruction, and namely, Sir *Conier Darcy*, Sir *John Bourcher*, and divers others, against the Lawes, and in subversion of the same. And the said Commission and Instructions were procured and sued by the advice of the said Earle.

And he the said Earle, to the intent that such illegall and unjust power might bee exercised with the greater licence, and will, did advise, counsell, and procure further directions in and by the said Instructions to be given, that no prohibition be granted at all, but in cases where the said Councell shall exceed the limits of the said instructions: And that if any Writ of *Habeas Corpus* be granted, the party bee not discharged till the party performe the Decree and Order of the said Councell.

And the said Earle in the thirteenth yeare of his now Majesties reigne, did procure a new Commission to himselfe and others therein appointed, with the said Instructions, and other unlawfull additions.

That the said Commission and Instructions were procured by the solicitation and advice of the said Earle of Strafford.

II.

That shortly after the obtaining of the said Commission dated the 21. of March, in the eighth yeare of his

his now Majesties reigne (to wit) the last day of August then next following, hee the said Earle (to bring his Majesties liege people into a dislike of his Majesty and of his Government, and to terrifie the Iustices of the Peace from executing of the Lawes: he the said Earle, being then President, as aforesaid, and a Iustice of Peace) did publikely at the Assises held for the County of Yorke, in the City of Yorke, in and upon the said last day of August, declare and publish before the people there attending for the administration of justice according to the Law, and in the presence of the Iustices sitting: *That some of the Iustices were all for Law, but they should finde that the Kings little finger should be heavier then the loynes of the Law.*

III.

That the Realme of Ireland having beene time out of minde annexed to the Imperiall Crowne of this his Majesties Realme of England, and governed by the same Lawes: the said Earle being Lord Deputy of that Realme, to bring his Majesties liege people of that Kingdome likewise into dislike of his Majesties government, and intending the subversion of the fundamentall Lawes and settled government of that Realme, and the distruction of his Majesties liege people there, did upon the 30. day of September, in the ninth yeare of his Majesties now reigne, in the City of Dublin, (the chiefe City of that Kingdome, where his Majesties Privie Councell, and Courts of Iustice doe ordinarily reside, and whither the Nobility and Gentry of that Realme doe usually resort for justice) in a publike Speech before divers of the Nobility and Gentry, and before the Maior, Aldermen, and Recorder, and many Citizens of Dublin, and other his Majesties liege people, declare and publish, that *Ireland was a conquered Nation, and that the King might*

doe with them what hee pleased; and speaking of the Charters of the former Kings of England made to that City, he further said, that their Charters were nothing worth, and did binde the King no further then he pleased.

IV.

That *Richard* Earle of Corke, having sued out Processe in course of Law for recovery of his possessions, from which he was put by colour of an order made by the said Earle of Strafford, and the Councell Table of the said Realme of Ireland. The said Earle of Strafford, upon a paper Petition without legall proceeding, did the 20. day of February, in the 11. yeare of his now Majesties reigne, threaten the said Earle of Corke (being then a Peere of the said Realme) to imprison him, unlesse he would surcease his suit, and said, *That hee would have neither Law nor Lawyers dispute or question any of his orders.* And the 20. day of March, in the said 11. yeare of the said Earle of Strafford, speaking of an order of the said Councell Table of that Realme, made in the time of King *James*, which confirmed a Lease which the said Earle of Corke claimed in certaine Rectories or Tithes which the said Earle of Corke alledged to be of no force, said, *That he would make the said Earle and all Ireland know, so long as hee had the government there, any Act of State, there made, or to be made, should be as binding to the subjects of that Kingdome, as an Act of Parliament.* And did question the said Earle of Corke in the Castle chamber, upon pretence of breach of the said order of Councell Table, and did sundry other times, and upon sundry other occasions, by his words and speeches arrogate to himselfe a power above the fundamentall Lawes, and established Government of that Kingdom, and subverted the said Lawes and established Government.

V. That

V.

That according to such his declarations and speeches, the said Earle of Strafford did use and exercise a power above, and against, to the subversion of the said fundamentall Lawes, and stablished government of the said Realme of Ireland, extending such his power to the goods, free-holds, inheritances, liberties, and lives of his Majesties subjects of the said Realme, *viz.* The said Earle of Strafford the 12. day of December, *Anno Dom.* 1635. in the time of full peace did in the said Realme of Ireland, give and procure to be given against the Lord Mount-Norris (then and yet a Peere of Ireland, and then Vice-Treasurer and Receiver generall of the Realme of Ireland, and one of the principall Secretaries of State, and Keeper of the Privie Signet of the said Kingdome) a sentence of death by a Councell of warre called together by the said Earle of Strafford, without any warrant or authority of Law, or offence deserving any such punishment. And hee the said Earle did also at Dublin within the said Realme of Ireland, in the moneth of March, in the 14. yeare of his Majesties reigne, without any legall or due proceedings or tryall, give or cause to be given, a sentence of death against one other of his Majesties subjects, whose name is yet unknowne, and caused him to bee put to death in execution of the said sentence.

VI.

That the said Earle of Strafford, without any legall proceedings, and upon a paper Petition of *Richard Ralfone*, did cause the said L. Mount-Norris to be disseized and put out of possession of his free-hold and inheritance of his Mannor of Tymore in the County of Armagh, in the Kingdome of Ireland, the said Lord Mount-Norris having beene two yeares before in quiet possession thereof.

VII.

That the said Earl of *Strafford*, in the Terme of Holy Trinitie, in the 13. *yeare of his now Majesties Reigne*; did cause a case cōmonly called *the case of Tenures upon defective titles*, to be made and drawne up without any jury or triall, or other legall processe, and without the consent of parties, and did then procure the Iudges of the said Realme of *Ireland* to deliver their opinions and resolutions to that case, and *by colour of such opinion, did without any legall proceeding*, cause *Thomas Lord Dillon*, a Peer of the said Realme of *Ireland*, to be put out of possession of divers Lands and Tenements, being his free hold in the County of Mago and Rosecomen, in the said Kingdome, and divers others of his Majesties subjects to be also put out of possession, and disseized of their freehold by colour of the same resolution, without legall proceedings; whereby many hundreds of his Majesties subjects were undone, and their families utterly ruined.

VIII.

That the said Earle of *Strafford* upon a petition of Sir *Iohn Gifford* Knight, the first day of February, in the said 13. yeare of his Majesties Reigne, without any legall processe, *made a Decree or order against Adam Viscount Lofts of Elie, a Peere of the said Realme of Ireland, and Lord Chancellor of Ireland*, and did cause the said Vicount to be imprisoned and kept close prisoner on pretence of disobedience to the said decree or order.

And the said Earle without any authority, and contrary to his commission, required and commanded the said Lord Viscount to yeeld unto him the great Seale of

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the Realm of Ireland which was then in his custody, by his Majesties command, and imprisoned the said Chancellor for not obeying such his command.

And without any legall proceedings, did in the same thirteenth yeare imprison George Earle of Kildare, a Peere of Ireland, against law thereby to enforce him to submit his title to the Mannor and Lordship of Castle Leigh in the Queens County; (being of great yearly value) to the said Earle of Straffords will and pleasure, and kept him a yeare prisoner for the said cause, two months whereof he kept him close prisoner, and refused to enlarge him, notwithstanding his Majesties letters for his enlargement to the said Earle of Strafford directed.

And upon a Petition exhibited in October, 1635. by Thomas Hibbots against dame Mary Hibbots Widdow, to him the said Earle of Strafford, the Earle of Strafford recommended the said Petition to the Councell Table of Ireland, where the most part of the Councell gave their vote and opinion for the said Lady, but the said Earle finding fault herewith, caused an order to be entred against the said Lady, and threatned her, that if she refused to submit thereunto, he would imprisoner her, and fine her five hundred poūd that if she continued obstinate, hee would continue her imprisonment, and double her fine every moneth by moneth, whereof she was enforced to relinquish her estate in the land questioned in the said Petition, which shortly was conveyed to Sir *Robert Meredith*; to the use of the said Earle of Strafford.

By means

And the said Earle in like manner did imprison divers others of his Majesties subjects upon pretence of disobedience to his orders and decrees, and other illegall commands by him made for pretended debts,

titles of Lands, and other causes in an arbitrary and extrajudiciall course, upon paper Petitions to him preferred, and no other cause legally depending.

IX.

That the said Earle of Strafford the 16. day of February, in the 12. yeare of his now Majesties reigne, assuming to himselfe a power above and against Law, took upon him by a generall Warrant under his hand, to give power to the Lord Bishop of Downe, and Connor his Chancellor, or Chancellors, to their severall Officers thereto to be appointed, to attach and arrest the bodies of all such of the meaner and poorer sort, who, after citation, should either refuse to appeare before them, or appearing should omit, or deny to performe, or undergoe all lawfull *decrees, sentences, and orders, issued, imposed, or given out against them, and them to commit and keepe in the next Gaole untill they should either performe such sentences, or put in sufficient Baile to shew some reason before the Councell Table, of such their contempt and neglect*, and the said Earle the day and yeare last mentioned, signed and issued a Warrant to that effect, and made the like Warrant to send all other Bishops and their Chancellors in the said Realme of Ireland to the same effect.

X.

That the said Earle of Strafford being Lord Lieutenant, or Deputy of Ireland, *procured the Customes of the Merchandizes exported out, and imported into that Realme, to be farmed to his owne use.*

And in the ninth yeare of his now Majesties reigne, he having then interest in the said Customes (to advance his owne gaine and lucre) did cause and procure the native commodities of Ireland, to be rated

in

in the booke of Rates for the Customes (according to which the Customes were usually gathered) at farre greater values and prices, then in truth they were worth; (that is to say) every hide at 20. shillings, which in truth was worth but five shillings: every stone of Wooll at thirteene shillings foure pence, though the same ordinarily were worth but five shillings, at the utmost but nine shillings; by which meanes the Custome which before was but a twentieth part of the true value of the commodity, was inhanced sometimes to a fifth part, and sometimes to a fourth, and sometimes to a third part of the true value, to the great oppression of the subjects, and decay of Merchandize.

XI.

That the said Earle, in the ninth yeare of his now Majesties reigne, did by his owne will and pleasure, and for his owne lucre, restraine the exportation of the commodities of that Kingdome without his licence, as namely Pipe-staves, and other commodities, and then raised great summes of money for licensing of exportation of those commodities, and dispensation of the said restraints imposed on them, by which meanes the Pipe-staves were raised from foure pound ten shillings, or five pound per thousand to ten pound, and sometimes eleven pound per thousand, *and other commodities were inhanced in the like proportion, and by the same meanes by him the said Earle.*

XII.

That the said Earle being Lord Deputy of Ireland, on the ninth day of January, in the thirteenth yeare of his Majesties reigne, did then under colour to regulate the importation of Tobacco into the said Realme of Ireland, issue a Proclamation in his Majesties name, prohi-

prohibiting the importation of Tobacco without licence of him and the Councell there, from & after the first day of *May Ao. Dom.* 1628. after which restraint, the said Earle, notwithstanding the said restraint, caused divers great quantities of Tobacco to be imported to his owne use, and fraighted divers ships with Tobacco, which he imported to his owne use: and that if any ship brought Tobacco into any Port there, the said Earle and his Agents used to buy the same to his owne use, at their own price. *And if that the owners refused to let him have the same at under values, then they were not permitted to vent the same.* by which undue meanes, the Earle having gotten the whole traffique of Tobacco, into his owne hands, he sold it at great and excessive prices, such as he list to impose for his own profit.

And the more to assure the said Monopoly of Tobacco, he the said Earle on the 13. of February, in the thirteenth yeare aforesaid, did issue another Proclamation commanding that none should put to sale any Tobacco by whole-sale, from and after the last day of May, then next following but what should be made up into Rolls, and the same sealed with two seales by himselfe appointed, one at each end of the Roll. And such as was not sealed to be seised, appointing sixe pence the pound for a reward to such persons as should seize the same: and the persons in whose custody the unsealed Tobacco should be found to bee committed to Gaole, which last proclamation was covered by a pretence for the restraining the sale of unwholesome Tobacco, but it was truly to advance the said Monopoly.

Which Proclamation the said Earle did rigorously put in execution, by ceazing the goods, fining, imprisoning, whipping, and putting the offendors against the same Proclamation, on the pillory, as namely,

Barnaby

Barnaby Hubbard, Edward Covena, Iohn Tumon, and divers others: and made the Officers of State, and Iustices of Peace, and other Officers to serve him in compassing and executing these unjust and undue courses. By which cruelties and unjust Monopolies, the said Earle raised 100000. pounds *per annum* gain to himselfe. And yet the said Earle though hee inhanced the Customes, where it concerned the Merchants in generall, yet drew downe the Impost formerly taken on Tobacco from six pence the pound to three pence the pound, it being for his owne profit so to doe. And the said Earle, by the same, and other rigorous and undue meanes, raised severall other Monopolies and unlawfull exactions for his owne gaine, *viz.* on Starch, Iron pots, Glasses, Tobacco pipes, and severall other commodities.

XIII.

That Flax being one of the principall and native commodities of that Kingdome of Ireland, the said Earle having gotten great quantities thereof into his hands, and growing on his owne Lands, did issue out severall Proclamations, *viz.* one dated the one and twentieth day of May, in the 11. of his Majesties reigne, and the other dated the one and thirtieth of Ianuary in the same yeare, thereby prescribing and enjoyning the working of Flax into Yarne and Thread, and the ordering of the same in such wayes wherein the Natives of that Kingdome were unpractised and unskilfull: which Proclamations so issued, were, by his Commands and Warrants to his Majesties Iustices of Peace, and other Officers, and by other rigorous meanes put in execution, and the Flax wrought or ordered in other manner then as the said Proclamation prescribed, was seized and employed to the use of him and his agents, and there-

by the said Earle endeavoured to gaine, and did gain in effect the sole sale of that native commodity.

XIV.

That the said Earle of Strafford, by Proclamation dated the sixteenth day of October, in the fourteenth yeare of his Majesties reigne, did impose upon the Owners, Masters, Pursers, and Boatswaines of every Ship, a new and unlawfull oath, *viz.* that they (two or more of them) immediately after the arrivall of any Ship within any Port or Creeke in the said Kingdome of Ireland, should give in a true invoyce of the outward bulke of Wares and Merchandises, and number of goods, and the qualities and condition of the said goods, as far to them as should be knowne, the names of the severall Merchants proprietours of the said goods, and the places from whence they were fraughted, and whither they were bound to discharge: which Proclamation was accordingly put in execution, and sundry persons enforced to take the said unlawfull Oath.

XV.

That the said Earle of Strafford trayterously and wickedly devised and contrived by force of Armes in a warlike manner to subdue the Subjects of the said Realme of Ireland, to bring them under his tyrannicall power and will, and in pursuance of his wicked and trayterous purposes aforesaid, the said Earle of Strafford in the eighth yeare of his Majesties Reigne, did by his owne authority, without any warrant or colour of Law, taxe and impose great summes of money upon the Townes of Baltemore, Baudenbridge, Talowe, and divers other Townes and places in the said Realme of Ireland, and did cause the same to be levied upon the Inhabitants of those Townes by troops of Souldiers, with force and

armes,

armes in a warlike manner. And on the ninth day of March, in the twelfth yeare of his now Majesties reigne, trayterously did give authority unto *Robert Savile* a Serjeant at Armes, and to the Captaines of the Companies of Souldiers, in severall parts of that Realme, to send such numbers of Souldiers to lye on the Lands and Houses of such as would not conform to his orders, untill they should render obedience to his said orders and warrants, and after such submission (and not before) the said Souldiers to return to their Garrisons. And did also issue the like Warrants unto divers others, which Warrants were in warlike manner, with force and Armes put in execution accordingly, and by such warlike meanes did force divers of his Majesties subjects of that Realm to submit themselves to his unlawfull commands.

And in the said twelfth yeare of his Majesties reigne, the said Earle of Strafford did trayterously cause certaine troopes of horse and foot, armed in warlike manner, and in warlike aray, with force and armes, to expell *Richard Butler* from the possession of Castle-Cumber, in the Territory of Idough, in the said Realme of Ireland, and did likewise and in like warlike manner, expell divers of his Majesties Subjects from their houses, families, and possessions, as namely *Edward Brenman*, *Owen Oberman*, *Patricke Oberman*, Sir *Cyprian Horsfield*, and divers others, to the number of about a hundred families, and tooke and imprisoned them and their wives, and carried them prisoners to Dublin, and detained them untill they did yeeld up, surrender, or release their respective estates and rights.

And the said Earle, in like warlike manner, hath, during his government of the said Kingdome of Ireland,

subdued divers others of his Majesties Subjects unto his will, and thereby and by the meanes aforesaid, hath levied Warre within the said Realme, against his Majesty and his liege people of that Kingdome.

XVI.

That the said Earle of Strafford, the two and twentieth of February, in the seventh yeare of his now Majesties reigne, intending to oppresse the said subjects of Ireland, did make a proposition, and obtained from his Majesty an allowance, that no complaint of injustice or oppression done in Ireland, should be received in England against any, unlesse it first appeared, that the party made first his addresse to him the said Earle: and the said Earle having by such usurped tyrannicall and exorbitant power, expressed in the former Articles, destroyed the Peeres and other subjects of that Kingdome of Ireland, in their lives, consciences, land, liberties, and estates, the said Earle to the intent the better to maintaine and strengthen his power, and to bring the people into a disaffection of his Majesty, as aforesaid, did use his Majesties name in the execution of his said power. And to prevent the subjects of that Realme of all meanes of complaints to his Majesty, and of redresse against him and his agents, did issue a Proclamation bearing date the seventeenth day of September, in the eleventh yeare of his Majesties reigne, thereby commanding all the Nobility, undertakers and others, who held estates and offices in the said Kingdome (except such as were employed in his Majesties service, or attending in England by his speciall command) to make their personall residence in the said Kingdome of Ireland, and not to depart thence without licence of himselfe. And the said Earle hath since issued other Proclamations to the

same

ſame purpoſe, by meanes whereof the ſubjects of the ſaid Realme are reſtrained from ſeeking releeſe againſt the oppreſſions of the ſaid Earle, without his licence: which Proclamation the ſaid Earle hath by ſeverall rigorous wayes, as by fine, impriſonment, and otherwiſe; put in execution on his Majeſties ſubjects, as namely, one ——— *Parry*, and others, who came over onely to complaine of the exorbitances and oppreſſions of the ſaid Earle.

XVII.

That the ſaid Earle having by ſuch meanes as aforeſaid, ſubverted the government and laws of the Kingdome of Ireland, did in March in the ſixteenth yeare of his Majeſties reigne, in ſcandall of his Majeſty, of all his Kingdomes, and in further execution of his wicked purpoſes aforeſaid, ſpeaking of the Armies in Ireland, declare, that his Majeſty was ſo well pleaſed with the Army of Ireland, and the conſequence thereof, that his Majeſty would certainly make the ſame a patterne for all his three kingdoms.

XVIII.

That the ſaid Earle of Strafford, for the better effecting of his trayterous deſignes and wicked purpoſes, did endeavour to draw dependency upon himſelfe of the Papiſts in both Kingdomes of England and Ireland, and to that end during the time of his government in Ireland, hee reſtored divers Friories and Maſſe-houſes (which had beene formerly ſuppreſſed by the precedent Deputies of that Kingdome, two of which houſes were in the City of Dublin, and had beene aſſigned to the uſe of the Vniverſity there) to the pretended owners thereof, who have ſince imployed the ſame to the exerciſe of the Popiſh Religion.

And in the moneths of May and Iune last, the ſaid Earle did raiſe an Army in the ſaid Realme of Ireland, conſiſting of eight thouſand foot, all of which, except one thouſand, or thereabouts, were Papiſts, and the ſaid one thouſand were drawne out of the old Army there conſiſting of two thouſand foot, and in their places there were a thouſand Papiſts, or thereabouts, put into the ſaid old Army by the ſaid Earle.

And the more to ingage and tye the new Army of Papiſts to himſelfe, and to encourage them, and to diſcourage and weare out the old Army, the ſaid Earle did ſo provide; That the ſaid new Army of Papiſts were duly payd, and had all neceſſaries provided for them, and permitted the exerciſe of their Religion, but the ſaid old Army were for the ſpace of one whole yeare and upwards unpayd.

And that the ſaid Earle being appointed a Commiſſioner within eleven ſeverall Counties in the Northerne parts of England, for compounding with Recuſants for their forfeitures due to his Majeſty, which Commiſſion beareth date the eight day of Iuly, in the fifth yeare of his Majeſties Reigne that now is, and being alſo receiver of the Compoſition money thereby ariſing, and of other debts, duties, and penalties for his Majeſties uſe, by Letters Patents, dated the ninth day of the ſaid Iuly: Hee, to engage the ſaid Recuſants to him, did compound with them at low and under rates, and provided that they ſhould bee diſcharged of all proceedings againſt them, in all his Majeſties Courts, both Temporall and Eccleſiaſticall, in manifeſt breach of, and contrary

to

to the Lawes and Statutes of this Realme, in that behalfe eſtabliſhed.

XIX.

That the ſaid Earle having taxed and levied the ſaid impoſitions, and raiſed the ſaid Monopolies, and committed the ſaid oppreſſions in his Majeſties name, and as by his Majeſties Royall command, he the ſaid Earle in May the fifteenth yeare of his Majeſties Reigne, did of his owne authority contrive and frame a new and unuſuall oath, by the purport whereof among many other things, the party taking the ſaid oath, was to ſweare that he ſhould not proteſt againſt any of his Majeſties Royall commands, but ſubmit themſelves in all obedience thereunto. Which oath he ſo contrived to enforce the ſame on the ſubjects of the Scottiſh Nation, inhabiting in Ireland, and out of a hatred to the ſaid Nation, & to put them to a diſcontent with his Majeſty and his government there, and compelled divers of his Majeſties ſaid ſubjects there to take the ſaid oath, ſome he grievouſly fined and impriſoned, and others he deſtroyed and exiled, and namely, the 10. of October, *Anno Dom.* 1639. he fined *Henry Steward* and his wife, who refuſed to take the ſame oath five thouſand pounds a peece, and their two daughters and *James Gray* three thouſand pounds a peece, and impriſoned them for not paying the ſaid fines. The ſaid *Henry Stewards* wife and daughters and *James Gray*, being the Kings liege people of the ſaid Scottiſh Nation, and divers others beſides in the like manner, and the ſaid Earle upon that occaſion did declare, that the ſaid oath did not onely oblige them in point of allegiance to his Majeſty, and acknowledgement of his ſupremacy onely, but to the Ceremonies and government of the Church eſtabliſhed, or to

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be established by his Majesties royall Authority; and said, that the refusers to obey, he would prosecute to the blood,

XX.

That the said Earle in the 15. and 16. yeeres of his Majesties reigne, and divers yeares past, laboured and endeavoured to beget in his Majesty an ill opinion of his subjects, namely, those of the Scottish nation, and divers and sundry times, and especially since the pacification made by his Majesty with his said subjects of Scotland in summer, in the fifteenth yeere of his Majesties reigne; he, the said Earle did labour and endevour to perswade, incite, and provoke his Majesty to an offensive warre against his said subjects of the Scottish Nation: and the said Earle, by his counsells, actions, and endevours, hath beene and is principall and chief incendiary of the warre and discord betweene his Majesty and his subjects of England, and the said subjects of Scotland, and hath declared, and advised his Majesty, that the demands made by the Scots in this Parliament were sufficient cause of warre against them. The said Earle having formerly expressed the height and rancor of his minde towards his subjects of the Scottish Nation, viz. the tenth day of October, in the fifteenth yeare of his Majesties reigne, he said that the Nation of the Scots were rebels, and traytors; and he being then about to come to England, he then further said, that if it pleased his Master (meaning his Majesty) to send him back againe, he would roote out of the said Kingdome (meaning the Kingdome of Ireland) the Scottish Nation both roote and branch. Some Lords, and others who had taken the said oath in the precedent Article only excepted: and the said Earle hath caused divers of the said Ships and goods of the Scots to be stayed, seized, and molested, to the intent to set on the said warre.

XXI. That

XXI.

That the ſaid Earle of Strafford, ſhortly after his ſpeeches mentioned in the laſt precedent Article, to wit, in the fifteenth yeare of his Majeſties Reigne, came into this Realme of England, and was made Lord Lieutenant of Ireland, and continued his government of that Kingdome by a Deputy: At his arrivall here, finding that his Majeſty with much wiſedome and goodneſſe, had compoſed the troubles in the North, and had made a pacification with his Subjects of Scotland; he laboured by all meanes to procure his Majeſty to breake that pacification, incenſing his Majeſty againſt his Subjects of that Kingdome, and the proceedings of the Parliament there. And having incenſed his Majeſty to an offenſive war againſt the ſaid Subjects of Scotland, by Sea and by Land; and by pretext thereof, to raiſe Forces for the maintenance of that warre: he counſelled his Majeſty to calla Parliament in England, yet the ſaid Earle intended, if the ſaid proceedings of that Parliament ſhould not be ſuch as would ſtand with the ſaid Earle of Straffords miſchievous deſignes, he would then procure his Majeſty to breake the ſame, and by waies of force and power to raiſe monies upon the ſaid Subjects of this Kingdome.

And for the incouragement of his Majeſty to hearken to his advice, he did before his Majeſty and his Privy Councell, then ſitting in Councell, make a large Declaration, that he would ſerve his Majeſty in any other way, in caſe the Parliament ſhould not ſupply him.

XXII.

That in the moneth of March, before the beginning of the laſt Parliament, the ſaid Earle of Strafford went into Ireland, and procured that the Parliament of that

Kingdome to declare their assistance in a war against the Scots. And gave directions for the raising of an Army consisting of 8000. foot, and 1000. horse, being for the most part Papists, as aforesaid. And confederating with one Sir *George Radcliffe*, did together with him the said Sir *George*, traterously conspire to imploy the said Army for the ruine and destruction of the Kingdome of England, and of his Majesties Subjects, and of altering and subverting of the fundamentall Lawes of this Kingdome.

And shortly after the said Earle of Strafford returned into England, and to sundry persons declared his opinion to be, that his Majesty should first try the Parliament here, and if that did not supply him according to his occasions, he might then use his Prerogative as hee pleased, to levie what he needed, and that he should be acquitted both of God and man, if he tooke some other courses to supply himself, though it were against the will of his Subjects.

XXIII.

That upon the thirteenth day of Aprill last, the Parliament of England met, and the Commons house (then being the representative Body of all the Commons in the Kngdome) did according to the trust reposed in them, enter into debate and consideration of the great grievances of this Kingdom, both in respect of Religion, and the publique Libertie of the Kingdome, and his Majestie referring chiefly to the said Earle of Strafford, and the Archbishop of Canterbury, the ordering and disposing of all matters concerning the Parliament: He the said Earle of Strafford, with the assistance of the said Archbishop, did procure his Majesty by sundry speeches and messages, to urge the the said Commons house to enter into some resolution

for his Majesties supply, for maintenance of his warre against his Subjects of Scotland, before any course was taken for the reliefe of the great and pressing grievances, wherewith the Kingdome was then afflicted. Whereupon, a demand was then made from his Majesty of twelve Subsidies, for the release of Ship-money onely; and while the said Commons then assembled (with expressions of great affection to his Majesty and his service) were in debate and consideration of some supply, before resolution by them made, Hee the said Earle of Strafford, with the helpe and assistance of the said Archbishop, did procure his Majesty to dissolve the last Parliament, upon the fifth day of May last: and upon the same day, the said Earle of Strafford did treacherously, falsely, and maliciously endeavour to incense his Majesty against his loving and faithfull Subjects, who had beene members of the said house of Commons, by telling his Majesty, they had denied to supply him. And afterwards upon the same, did treacherously and wickedly counsell and advise his Majesty to this effect, *viz.* that having tryed the affections of his people, he was loose and absolved from all rules of government, and was to doe every thing that power would admit, and that his Majesty had tryed all wayes, and was refused, and should bee acquitted both of God and man, and that he had an Army in Ireland (meaning the Army above mentioned, consisting of Papists, his dependants as is aforesaid) which he might imploy to reduce this Kingdome to obedience.

XXIV.

That in the same month of May, he the said Earle of Strafford, falsly, treacherously, and maliciously, published and declared before others of his Majesties Privy Councell, that the Parliament of England had forsaken the King, and that in denying to supply the King, they had given him the advantage to supply himself by other waies: and divers other times he did maliciously, wickedly, and falsly publish and declare, that seeing the Parliament had refused to supply his Majesty in the ordinary and usuall way, the King might provide for the Kingdome in such waies as hee should hold fit, and that he was not to suffer himself to be mastered by the frowardnesse of the people.

And having so maliciously slandered the said house of Commons, he did with the help and advice of the said Archbishop of Canterbury and the Lord *Finch*, late Lord Keeper of the great Seale of England: cause to be printed, and published in his Majesties name, a false and scandalous book, entitled his Majesties Declaration of the causes that mooved him to dissolve the last Parliament, full of bitter and malicious invectives, and false and scandalous aspersions against the said house of Commons.

XXV.

That not long after the dissolution of the said last Parliament, (*viz.* In the months of May and June) he the said Earle of Strafford did advise the King to goe on rigorously in leavying of the Ship money, and did procure the Sheriffs of severall Counties to be sent for, for not levying the Ship-money, divers of which were threatned by him to be sued in the Star-chamber, and afterwards by his advice were sued in the Starchamber, for not levying the same, and divers of his Majesties loving subjects were sent for and imprisoned

prisoned by his advice, about that and other illegall payments.

And a great loane of a hundred thousand pounds was demanded of the City of London, and the Lord Major and the Aldermen and the Sheriffes of the said City, were often sent for by his advice to the Councell Table, to give an account of their proceedings in raising of Ship-money, and furthering of that loane, and were required to certifie the names of such Inhabitants of the said City as were fit to lend: which they with much humility refusing to doe, he the said Earle of Strafford did use these or the like speeches: viz. *That they deserved to be put to fine and Ransome, and that no good would be done with them, till an example were made of them, and that they were laid by the heels, and some of the Aldermen hanged up.*

XXVI.

That the said Earle of Strafford by his wicked counsell having brought his Majesty into excessive charges without any just cause, he did in the month of July last (for the supports of the said great charges) counsel and approve two dangerous and wicked projects: viz.

To seize upon the Bullion and the money in the Mint.

And imbase his Majesties coine with the mixtures of brasse.

And accordingly hee procured one hundred and thirty thousand pounds, which was then in the Mint, and belonging to divers Merchants, strangers and others, to be seized on, and stayed to his Majesties use. And when divers Merchants of London, owners of the said Bullion, came to his house to let him understand the great mischiefe that course would produce here, and in other parts, what prejudice it would bee to the Kingdome, by discrediting the Mint, and hin-

dring the importation of Bullion: he the said Earle told them, that the City of London dealt undutifully and unthankfully with his Majesty, & that they were more ready to helpe the rebells then to helpe his Majesty: and that if any hurt came to them, they might thanke themselves: and that it was the course of other Princes to make use of such monies to serve their occasions.

And when in the same month of July the Officers of his Majesties Mint came to him, and gave him divers reasons against the imbasing of the said money, he told them that the French King did use to send Commissaries of horse with commission to search into mens estates, and to peruse their accompts, that so they may know what to levie of them by force, which they did accordingly levie: and turning to the Lord Cottington then present, said, *That this was a point worthy his Lordships consideration.*

XXVII.

That in or about the month of August last he was made Lieutenant generall of all his Majesties forces in the Northerne parts against the Scots, and being at Yorke did in the month of September by his own authority, and without any lawfull warrant, impose a Tax on his Majesties subjects in the County of Yorke, of 8. pence *per diem*, for maintenance of every Souldier of the trained Bands of that County, which summes of money he caused to bee levied by force. And to the end to compell his Majesties subjects out of feare and terror to yeeld to the payment of the same, hee did declare that hee would commit them that refused the payment thereof, and the souldiers should be satisfied out of their estates; and they that refused it, were in very little better condition then of high Treason.

XXVIII.

That in the months of September and October last, he the said Earle of Strafford being certified of the Scottish Army comming into the Kingdome, and hee the said Earle of Strafford being Lieutenant generall of his Majesties Army, did not provide for the defence of the Towne of Newcastle as he ought to have done, but suffered the same to be lost, that so he might the more incense the English against the Scots. And for the same wicked purpose, and out of a malicious desire to ingage the Kingdomes of England and Scotland in a Nationall and bloody war, he did write to the Lord *Conway* the generall of the horse, and under the said Earles command, that he should fight with the Scottish Army at the passage over the Tine, whatsoever should follow, notwithstanding that the said Lord *Conway* had formerly by letters informed him the said Earle, that his Majesties Army then under his command, was not of force sufficient to encounter the Scots, by which advice of his, he did, contrary to the duty of his place, betray his Majesties Army then under his command, to apparent danger and losse.

All and every of which words, counsels, and actions of the said Earle of Strafford traiterously and contrary to his allegiance to our Soveraigne Lord the King, and with an intention and endeavour to alienate and withdraw the hearts and affections of the Kings liege people of all his Realmes from his Majesty, and to set a division between them, and to ruine and destroy his Majesties said Kingdomes. For which they doe further impeach him the said *Thomas* Earle of Strafford of high Treason against our Soveraigne Lord the King, his Crowne and dignity.

FINIS.

XXVIII.